BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of)
)

H.S. HAWAII, LLC

For Extension of Motor Carrier Certificate.

DOCKET NO. 05-0034

DECISION AND ORDER NO. 21811

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ENV. OF CONSUMER ADVOCASY
STATE OF MARIANDARY

Filed May II , 2005
At ______ O'clock A .M.

Chief Clerk of the Commission

ATTEST: A True Copy KAREN HIGASHI Chief Clerk, Public Utilities Commission, State of Hawaii.

. Digred.

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H.S. HAWAII, LLC

For Extension of Motor Carrier Certificate.

Docket No. 05-0034
Decision and Order No. 21811

DECISION AND ORDER

By this Decision and Order, the commission authorizes H.S. HAWAII, LLC ("Applicant") to extend its authority under certificate of public convenience and necessity number 1758-C ("Certificate No. 1758-C") to include the 1-to-7 passenger classification on the island of Oahu, subject to certain conditions, as described herein.

I.

Application to Extend Common Carrier Authority

Applicant is a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification. On February 7, 2005, Applicant filed an application seeking commission approval to extend its authority under Certificate No. 1758-C to include the 1-to-7 passenger classification. Applicant represents that if its authority is extended as requested, it can meet customer demand for motor vehicles with a seating capacity of 1-to-7 passengers.

Applicant served copies of the application on the Hawaii Transportation Association and the Hawaii State Certified Common Carriers Association, Inc., which consist of carriers that may be affected by Applicant's proposed service, and on the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate"). The Consumer Advocate did not participate in this proceeding, and no persons moved to intervene in this docket.

II.

Findings and Conclusions

Based upon our review of the record, we find that Applicant is fit, willing, and able to properly perform the proposed service, and to conform to Hawaii Revised Statutes chapter 271 and the requirements and rules of the commission. We also find that the proposed service is required by the present and future public convenience and necessity. Accordingly, we conclude that Applicant's request for an extension of its authority should be granted.

III.

Orders

THE COMMISSION ORDERS:

1. Applicant is authorized to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 1-to-7 and 8-to-25 passenger classifications.

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Applicant shall surrender Certificate No. 1758-C, 2. and an amended certificate reflecting the operating authority granted by this Decision and Order shall be issued.

Applicant shall comply with all of the commission's requirements for common carriers by motor vehicle including, but not limited to, filing a lawful tariff and filing the appropriate insurance documents.

Applicant shall comply with the foregoing requirements within one hundred and twenty (120) days after service of this Decision and Order. Failure to comply within the time specified constitutes cause for this commission to void this Decision and Order.

5. Applicant shall not commence operations in the 1-to-7 passenger classification until it has received written confirmation from the commission that all requirements have been met.

> MAY 1 1 2005 DONE at Honolulu, Hawaii

> > PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

APPROVED AS TO FORM:

Kawelo, Commissioner

Benedyne \S Commission Counsel

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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No. 21811</u> upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY P. O. Box 541 Honolulu, HI 96809

H.S. HAWAII, LLC 2499 Kapiolani Blvd., #3805 Honolulu, HI 96826

Karen Higashi

DATED: MAY 1 1 2005